THE Necessity & Extent Of the OBLIGATION, With the Manner & Measures OF Restitution, IN A SERMON,

Preached the 9th. of *October*, 1681.
Before the Corporation of *Haverford-West*, at Saint *Mary's* in *Haverford*.

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LONDON,
Printed by *T. M.* for *Thomas Dring*, over against the *Middle-Temple-Gate* in *Fleet-Street*. 1682.

BIBLIOTECA

PREFACE.

THE Deſign of the Publication of the enſuing Diſcourſe, is meerly ſhewing to the World, it is not quite ſo monſtrous a Thing upon all Accounts, as ſome People (who I ſuppoſe, thought it their Intereſt; and therefore) made it their Buſineſs to have it believed. Whatever there be in the Compoſure, that may ſtand in need of an Apology; if the Reader's Candor, with ſuch Topicks as the Corporation wherein it was Delivered, the Neceſſity of being as Plain, and Particular as might be, where there is an eſpecial Faculty of Tranſlating of Crimes, where the Matter is otherwiſe Ordered (as by good Experience, I dare aſſure the Reader there was, where this was Delivered) do not help him to me; I hold it not Prudence out of a deſign of foreſtalling all the Objections that might be made againſt it, either to furniſh the Ignorant, and prejudiced Reader with ſuch as he would never elſe himſelf ſtart; and will be ſure never to have Kindneſs enough (however it may fare with his Underſtanding) to take along the Anſwers to, or give the Candid and Ingenious One the trouble of Reading Anſwers to Objec-

tions I am ſure he will never make.

To me it will be Satisfaction, that this Diſcourſe will Manifeſt it ſelf not to be really as bad as it is Repreſented. It Contends not for Eminency of Strength or Beauty, but againſt the Imputation of ſtrange Weakneſs and Deformity: the Confutation of the Charge, whereof I have been Reſolved to make, is of the Nature of the Philoſopher's *to the Diſputant againſt Motion, by making the Thing walk before it; and ſo let it paſs with this one Addition, by way of Advertiſement, That*

An honeſt Gentleman, one Mr. Richard Jones, *of the Town it was Delivered in, was ſo far (as hath been Alleadged) from putting me upon a Diſcourſe of this Nature, that he, nor more, nor ſooner, knew of the Purpoſe of it, than thoſe that Conceived themſelves moſt Concerned in it.*

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THE Neceſſity & Meaſures OF RESTITUTION.

Luke 19. 8.

If I have taken any Thing from any Man by falſe Accuſation, I Reſtore him Four-fold.

THE Words, I do from this Place (which, I hope, may add Weight and Solemnity, and gain Credit to my Proteſt) declare, for the Occaſion they Naturally afford to urge a *Matter of Conſcience*, I conceive Neceſſary to be Urged here, I have long ſince (ſince I could not longer ſhut up my Eyes againſt what ſo Manifeſtly offered it ſelf) entertained Thoughts, next a Reſolution, ſome time or other, to inſiſt upon: That I did not do it ſooner, ſome plauſible Reaſons to the world I could offer; upon the Acceptance whereof, yet in *God*'s Sight I dare not much preſume; yet Hope, and

and beg His merciful Pardon for it. But now being ſomething in the ſtate of a Dying Man, taking my leave of concernments of courſe of this Nature, in this Place; I am Reſolved, by *God*'s Grace, with that Impartiality and Sincerity, which the Conſideration of my Great *God*, before whom, I muſt one day give Account of my Charge, and that Uprightneſs that muſt give Eaſe to my Conſcience, may require to Diſcharge my ſelf, That, if I Live to ſee the Curſes, ſuch Sins are Obnoxious to, poured out upon this place, or any particular Perſon here, or his Poſterity, or that I conſider the State of final Impenitency any Perſon may Miſcarry by, I may have no Remorſe from Conſcience, for being Acceſſary to it by my Silence; no occaſion to Charge my ſelf for not Repreſenting the true Eſtate of the Matter, and not doing what I could to prevent their Temporal and Eternal Ruin: Wherein, though my Commiſſion ſeems to run ſomething in the Strain of *Ezekiels*, *c.* 2. *v.* 3. &c. *Son of Man, I ſend thee to a Rebellious Nation, to an Impudent Children, and ſtiff Hearted*, &c. and my Doom may be for my Meſſage, if it lye in the Power of ſome, that of *Jeremiah's*, the Dungeon; yet I hope, by *God*'s Grace, I may have ſome Portion of the ſame Courage *God* required in *Ezekiel*, not to be afraid of Mens Words; Though Briers and Thorns be with me, though I dwell among Scorpions, I will not be afraid of their Words, nor diſmayed at their Looks; but when I have given my Propoſition from the Text, deduced it to an Application to the Guilty Conſcience of any Perſon here,

Then you may perceive, the Words are the Speech of one, newly and fully Converted in the Judgement of our Saviour; who in the next Verſe declares upon it,

it, that Salvation is come into his House; which the Learned *Hammond* Parapraises, *This day Repentance, and so the Mercies of the Gospel are come to* Zaccheus. They are the Words of a Publican, one imployed in the Gathering of a Tax, imposed by the *Roman* Power, which Ministred him occasion for diminishing, or violating the Right of poor People, that either for the greatness of his Strength and Interest, or the meanness of their own, were not able to Right themselves; for ἐσυκοφάντησα, the Word rendered here, *I have taken by False Accusation*, in the Judgement of the best *Grammarians*, may import the *Act of Fraud*, by what Means soever contrived, or in what matter soever Exercised; and that *False Accusation* put in here, to clear the Sence of it, doth not render it inextensible to the Concernments of some Men in this place, will appear, if (which you ought) you consider, That every wrong Defence in such a Case, is in effect, a *False Accusation*.

The Proposition from the Text, is this,

That Restitution, in cases of Fraud and Injury, *is so necessarily a Concomitant of true Repentance, that in Cases of* Fraud and Injuries, *where there is not Restitution made to the very utmost of the Defrauding or Injurious Person's Power, in all Circumstances that may signify the seriousness of his Repentance, for his* Fraud and Injuries, *the Fraudulent and Injurious Person cannot be Saved,* i. e. *must be inevitably Damned.*

In order to the clearing of this Proposition, I hope it is so known a Truth (that a Sinner, as long as he continues Unrepenting, cannot be Saved; and if he Dyes in any unrepented Sin, is inevitably Damned) that I need

need not give my ſelf the trouble to Prove it. Repentance was that St. *John* called for, before his Baptiſm: It was that our Saviour himſelf indiſpenſibly required; it is that which His Apoſtles after him did; it is (and for the greateſt Reaſons in the World, as were it abſolutely Neceſſary here, could be ſhewed) That, without which, to any perſon of Maturity, the Goſpel doth no where Promiſe any of its Benefits, or any of its Mercies; nay, tells us Poſitively, *That unleſs we Repent we ſhall All likewiſe Periſh*; *and that no Man without Holineſs* (which ſuppoſes Repentance) *ſhall ſee the Face of the Lord.* And therefore being ſo clear to, and undeniable a Truth by, any Chriſtian, I ſhall immediately fall to make good the Propoſition ſuppoſed in the Text; That *Reſtitution* is ſo much a Note of true Repentance, that without making it, no Man concerned to make it, can be Saved; that is, as before, That *Reſtitution* in caſes of *Fraud and Injuries*, is ſo neceſſarily a Concomitant of true Repentance, that in caſes of *Fraud and Injuries*, where there is not *Reſtitution* made to the very Utmoſt of the Defrauding or Injurious Perſon's Power, in all Circumſtances that may ſignify the Seriouſneſs of his Repentance for his *Fraud and Injuries*: the Fraudulent and Injurious perſon cannot be Saved, *i. e.* muſt be inevitably Damned. Which I ſhall, *Firſt*, clear in general, from the Nature of Repentance. *Secondly*, Shew in what manner, and how far (in ſeveral Caſes) *Reſtitution* is to be made; and Proceed according to my Purpoſe.

Repentance hath (by All) been judged of ſo great Moment, indeed of ſo abſolute a Neceſſity, that Divines of all Perſwaſions, Ancient, and Modern, have been Curious, and laid out a great deal of Time and Pains in

in discovering and stating of the Nature of it. The Moment Mr. *Calvin* apprehended; the Understanding of it, he expresses in these Words, *Si quid autem in totâ Religione scire nostrâ refert, id certe maxime refert, nempe intelligere ac probe tenere quâ ratione, quâ lege, quâ conditione, quâ facilitate aut difficultate obtineatur peccatorum Remissio. If there be any thing in the whole Course of Religion worth our Understanding; that is certainly most so,* viz. *to understand, and rightly comprehend, which way, upon what terms and condition remission or forgiveness of Sins may be obtained,* Cal. instit. l. 3. c. 4. which is as much as if he had said, The nature of Repentance; He Sub-joyns there his reason from the Restlesness the Conscience must be subject to, under a dissatisfaction touching the Nature of it: But after all the large Discourses laid out upon it, as often as it comes in the ways of Controvertists; or Men that insist upon it directly, and immediately to move Men to the Practice of it, and Observation of the Words; whereby it is expressed in Holy Scripture, and Practices of Men noted in it, for an accepted *repentance:* the just Collection is, That *repentance* implies a thorough change of the Heart of the Sinner, fully detesting his former Sins, and resolving, for the future, to lead a new Life, answerable to the good Pleasure of his GOD. This Detestation of former Sins, by the School-men is supposed to be attended with, nay, practised in these Three Instances, *Contrition or Compunction of Heart, Confession with the Mouth, and Satisfaction in Act or Deed.* All (or either whereof) the *Reformists* are so far from taking away, or denying, That they seem only to rid them from the corrupt Glosses, the Propugnators of the *Roman* perswasion blinded, and led by Interest, put upon them. Pet. Lombardus li. 4. Dist. 16.

The forementioned Mr. *Calvin*, when he takes notice of the *Romaniſts* ſence of Contrition, or ſorrow of Heart, finds Fault with their requiring ſuch a juſt Proportion of it, as may be anſwerable, and commenſurate to the nature and degrees of the Crime, which muſt create a great deal of trouble to the Sinner, ſeeing a proportionable meaſure of Contrition or Sorrow enjoyned, but not determined; but notwithſtanding, ſays, *Equidem ſedulo & acriter inſtandum eſſe fateor, ut quiſque amare deflendo ſua peccata, ſe ad eorum diſplicentiam & odium magis acuat; Hæc enim eſt non pœnitenda triſtitia, quæ pœnitentiam gignit in Salutem*, ib. *I confeſs truly that it is to be carefully and earneſtly Urged, That every one by bitterly lamenting his Sins, may more egg himſelf to a diſpleaſure with, and hatred of his Sin; for this is Sorrow not to Repented of, which worketh Repentance to Salvation:* And a little further, *Diximus & nos quodam loco nunquam ſine pœnitentiâ obvenire peccatorum Remiſſionem, quod nulli niſi afflicti & peccatorum Conſcientiâ vulnerati Dei miſericordiam implorare ſincere poſſunt: And I my ſelf, have one where ſaid, That without Repentance, there is never any remiſſion of Sins; becauſe that none but ſuch as are afflicted, and wounded with the Conſciouſneſs of their Sins, can ſincerely implore God's Mercy.* In both which Clauſes, he not only allows of, but requires Sorrow for Sin; only in the former he complains of the unreaſonableneſs of enjoyning, and not determining the certain Proportion due for every Sin; and after the latter of thoſe two cited places, ſayes, He taught the Sinner, *Non in ſuam compunctionem, neque in ſuas lachrymas intueri, ſed utrumque oculum in ſolam Domini Miſericordiam defigere. Not to look back upon his Compunction and Tears, but faſten his Eyes upon the alone Mercy of the Lord:*

Lord: In short (as in all reason he should) Sorrow, and an hearty Sorrow for Sin, he not only allows, but judges necessary, only would not have Men rely upon it, as meriting Pardon; but be naturally necessary in order to it: the Sinner, without it being not qualified for Mercy, for as much as a sense of the misery of his Condition, must be an Incentive to his applying of himself to *God* for Pardon.

Then for Confession, he doth not absolutely deny the usefulness and necessity of it, but ties the necessity of an acknowledgement of our Sins to *God*; which when it is sincere, he sayes, * will be followed by a voluntary one to Men, as often as the Glory of God, and a Man's own Humiliation may be promoted by it: And the Usefulness of it to some certain Persons, for some certain Purposes he ‖ determines differently from the *Church of Rome:* All which having been not long since, by our Right Reverend *Diocesan*, accounted for from this place, I shall say no more to it now; But proceed to that which the Text, and my present Purpose more directly lead me to, the Consideration of the *Third* Concomitant of, or instance whereby our Detestation of Sin is to be Discovered, Satisfaction; which indeed, all *Reformists* in the notion the Master of the Sentences, and the *School-men* use it, for forcing of Penances upon persons, as to the necessity of it, with relation to *God*, do generally, and for good reasons disclaim; I mean, as by it, the *Romists* do mean unravelling of the Vice, and making *God* Satisfaction for every degree of Sin, by proportionable Degrees, and answerableness of the contrary Vertue; because that supposition evacuates the necessity of Christ's Suffering for Men: But as it relates to the Church, and may

Cal. instit. li. 3. c. 4. *parte de Confes.*

* *Sequitur voluntaria apud homines confessio, quoties id vel divinæ Gloriæ, vel Humiliationis nostræ interest.*

‖ Ibid.

be a Mean to ſatisfy the Members of it, of the ſincerity of the ſinners Repentance; they do not only allow, but judge it very convenient. But as by Satisfaction may be meant Reſtitution, Amends made by the offending or injuring Perſon, to the Offended or Injured, as far as it may poſſibly lye in the power of the offending Perſon, they do all joyn in the Neceſſity of it; and particularly the *Church of England* in its Exhortation upon the bidding of the *Sacrament*, moves Men in order to their ſhewing themſelves true Penitents (which they ſhould be before they preſume to partake of That) to it. And St. *Auguſtine* is very clear and poſitive, *Peccatum non remittitur niſi reſtituatur ablatum. The Sin continues Unpardoned, till ſuch time as what is taken away, or* (which is the ſame thing) *injuriouſly detained, be Reſtored.* And common reaſon tells us, That if the taking what is another's, upon terms the right Owner conſents not to, muſt be a Sin, the keeping muſt be ſo too.

But ſince the fore-ſight of Beggery, or the ſhame of acknowledging ſuch a Guilt, which the injurious Perſon may apprehend muſt follow a due Reſtitution of what is taken or detained: Since Covetouſneſs, and Pride, and Ambition, may be of ſo much more Authority with ſuch a Sinner, than the Voice of all the School-men, and Fathers in the World, the Church he lives in, and his own Reaſon; ſince thoſe Sins will, in all likelyhood, ſoon prevail with him: To conclude, from the poſſibility that all thoſe may err, that they really, and actually do ſo; ſince, I ſay, the foreſight of Beggery, that may enſue a Reſtitution; ſince the ſhame of ſuch an acknowledgement, as it muſt imply; ſince Covetouſneſs, Pride, and Ambition ſeconded

ded with the Arts and Induſtry of a wicked Spirit, will likely ſoon frame in the Mind of the injuring Perſon, ſuch a Diſcourſe as this, Grant that all theſe, this Preacher mentions, the Fathers, the School-men, and generally all Writers, Antient and Modern, (which yet we have but his word for) the *Church of England*, and my own Reaſon for the preſent, agree in the *Neceſſity of Reſtitution*, as being that, without which, Repentance cannot be ſincere and entire; and conſequently, without which, a Man that hath taken away or detained from one or more Perſons, or a Community their Right, cannot be ſaved; yet it being acknowledged, that all of them may err in any point; ſo they may in this; and therefore I am not ſure they do not; and this ſhall have no Force upon me. Since an Argument of this nature may be ſo Eluded, let us try the Force of ſuch as may be drawn from Holy Scripture, of which, there can be Colour for offering any ſuch Evaſion.

Now, that the ſence of Holy Scripture touching this matter, is the ſame, That there can be no true and perfect Repentance, without Reſtitution of what is Injuriouſly taken or detained, will, I hope, be granted, ſufficiently proved, if I can from it prove, That he that doth not make Reſtitution of what he hath wrongfully taken away or detained, is Guilty of tranſgreſſing the whole Law. Certainly, he that, in *God*'s Judgement, is guilty of Tranſgreſſing the whole Law, cannot be thought to be a true Penitent; and conſequently, as long as he is not ſo, cannot be Saved. And either non-Reſtitution muſt be no Sin at all, or in the judgement of St. *James*, *c.* 2. *v.* 10. it is a Tranſgreſſion of the whole Law; for there he ſaith plainly,

Who-

whoſoever ſhall keep the whole Law, and yet Offend in one point, he is Guilty of all; and in the following Verſe gives the reaſon of it. Now there is no ſort of poſſibility of avoiding this Charge, but by the effrontery of denying it to be a Sin: To ſuch a one as ſhould be ſo ſhameleſs as to ſuſpect, much more deny, That the not Reſtoring of what is wrongfully detained from others is a Sin; I'd ask him, What he thinks makes Theft a Sin? Is it the taking away, by one, what he hath no right to? It is ſo here, when a perſon takes that which is not his Right, and keeps it longer than he ſhould; or, Is it only the Violence uſed to the perſon in the Act; Not ſo, for ſome Stealths are without violence offered the perſons, from whom it is made: Nay, the detaining of others Rights againſt their declared Wills, or becauſe they dare declare nothing to the contrary, increaſes the numbers of the Thefts, with the numbers of the Minutes, whereby the Detainer's time is told: *Three* Hours not reſtoring what ought to be Reſtored, is ſo many Hours Stealing in the ſence of the *Law of God*, and Reaſon: But that I do not only ſay it is, but ſhew *God's* Sentence of it, as a Sin. See in the 33*d*. of *Ezekiel*, how he particularizes Reſtoration, as the means of looſening of a Sin, and ſign of Converſion of a Sinner, which he had not, if in his Judgement, keeping another's Right, had been no Sin; for after he had ſaid in the 14*th*. *verſe*, *Again, when I ſay unto the wicked, Thou ſhalt ſurely Dye: if he turn from his Sin, and do that which is Lawful and Right*, he Exemplifies doing Lawful and Right, in the 15*th*. *ver*. by, *if the wicked reſtore the Pledge, give again that he had Robbed*, &c. *he ſhall ſurely Live, and ſhall not Dye. If the wicked reſtore the Pledge, give again that he had Robbed*;

Robbed: Wicked then, it ſeems he was in *God's* Judgement while he kept it.

If after all this it ſhould be ſaid, That *Penitence* is an inward Act of the Mind, *Reſtitution* an outward Expreſſion; and that *God* regardeth the Inwards, and lays not ſo much Streſs upon outward Actions. I'd ask the perſon, Whether he would be ſo Cheated? Such a Fool as to believe, that an *High-way* Robber that takes his Purſe, would by ever ſo much ſolemn Declarations of his Sorrow, for the Injury he had done, make him believe he were truly Sorry, while he ſaw his Purſe in his hand? What *God's* eſtimate of Penitency is, we may judge by St. *John's* calling upon thoſe that came to his Baptiſm, to *Bring forth Fruit meet for Repentance*; by our *Saviour's* declaration, *That we might know Men by their Fruit*; by the *Apoſtle's* challenging of the ſincere Believer, which alſo muſt be a true Penitent, to *Shew his Faith by his works.*

Having ſo ſhewed, and I hope Convincingly, the indiſpenſableneſs of Reſtitution, from injurious Offenders in general; I come now to repreſent the extent of the Concernment of it; And that as to Perſons, and Things, with the meaſures or degrees of Reſtitution, that ought to be made.

Firſt, as to Perſons, Where the Queſtion is, *How far this Guilt of not Reſtitution, or not Reſtoring what is Injuriouſly taken or detained, may extend it's ſelf? Whether the Guilt dies with the Perſon that did at firſt do the Injury, and never made Amends for it, or touches his Poſterity, that they become Guilty of it? And if it do, How far, and what obligation of Reſtitution it lays upon them?*

To which, I thus Anſwer, That, that *Declaration* Almighty

Almighty *God* made in the *Second Commandment*, That He would *Viſit the Iniquity of the Fathers upon the Children*, is very general; becauſe it is to the Children of all them that hate Him, that is, not only to the Children of them that Worſhip the Hoſt of Heaven, as ſome of the *Gentiles* did; or any thing upon Earth, or the Water under the Earth, or the Images of any of them; but ſuch as preferred any thing before Him; that Preference of a Thing, being counted an hatred of Him; becauſe it ſuppoſes an incompetency of Love to Him. And if ſo, ſure to them that gratify their Luſt or Covetouſneſs, their Pride and Ambition; or any Sin proceeding from them; or any thing elſe whatſoever contrary to *God's* clear Commands: I ſay, This Declaration which *God* there made ſo general, was never abſolutely repealed. In *Ezekiel*, indeed, we find, That to the *Children of Iſrael*, that had taken (upon the Execution likely of this part of the Law) up a Proverb, that *The Fathers had Eaten ſowr Grapes; and that the Childrens Teeth were ſet on Edge*, God promiſes ſomething that looks like the Contrary: The Reaſon and Import whereof, yet may probably be this, That the Sins of that Age, of the *Jews* were ſo great and provoking, that when *God* Avenged them to the full, upon Recollection, and juſt Examination of themſelves, they might find no reaſon to think, that there was any need from the heap of their Father's Treſpaſſes, to take in any, to aggravate their Sins, and ſo bring down a greater proportion of Judgement; but that their own, every Man's ſingly, or the preſent Communities might be ſufficient to provoke more Judgements, than they ſaw Executed upon them; or elſe, That their Provocations had been, and were ſo great, that whereas *God* formerly

formerly had, in some cases, suspended the Execution of a Vengeance due upon the Father's Trespasses, to the time of his Posterity, as he did in the case of *Ahab*, That he would not then shew so much Mercy, but Punish as fast as they Offended; but whether for such, or some other Reason, He did to the *Children of Israel*, for some season, determine it should be otherwise; yet that he did finally and universally, that is, That he did for ever resolve, and to all People, that it should be otherwise, doth no ways, and no where appear; but the contrary by the Observation of all Ages.

So that you see, That whatever the Sin of the Father be, his Children have no warrant from Holy Scripture, other than the first Sinner had, that they will escape the Punishment, that is, have no other Warrant, no Condition than Repentance; and that a true sincere One, attended with all the genuine Fruit and Effects of it; but on the other side, *God's* Truth that can never fail, to assure them they may be Avenged upon for the Sins of the Father; and for the manner to inquire, since *God* hath made no Discovery, would be a sinful, and useless Curiosity. When he saies, He will do a thing, we may assure our selves, He will find a way to do it: But whatever mitigation the Children of other Sinners may have of this Menace, surely he that comes into the unjust Possession of his Father, as such, will have none; for look whatsoever he hath in his Substance derived from his Father, more than he would have had in case his Father had done all Right, paid all their own; so much hath he that was not his Fathers, and consequently more than his Father could justly Derive to him: And his con-

tinuing a Poſſeſſion of them, doth not only entail upon him the Vengeance denounced in the *Second Commandment*, which, if he had had none of thoſe unlawful Poſſeſſions from his Father, he had been obnoxious to, but doubles it by practiſing and continuing in the Sin. His Father's Sin was detaining unjuſtly another's, and he Succeeds him, as his Son naturally without that liable to the Puniſhment, and as continuing the Sin, in his own perſon. And be ſure the Guilt (tho the ſence of it may) doth not leſſen, the longer the Sin is practiſed, but increaſes with time, and the Advantage made of it; For ſee how much the firſt wrong quick ſtock hath advanced any Man's Eſtate, above what it would have been without it; ſo much it might have advanced the right Owner's, if he had not been Injured, and conſequently, ſo much ought to be Reſtored to the laſt Mite of a Man's Poſſeſſion; which if it do not riſe to a full Reſtitution, it ought to be Weighed out as much as poſſibly he can in Sorrow before *God*, for the Injuries (which, if he had been able, he ought to have teſtified by a full Reſtitution) by his hearty Prayers to *God* to make the injured perſon Amends; and his Recommendation of him to ſuch Men as he can influence, that are of Ability to make him: nor indeed, in order to Reſtitution, ought a Man to take his meaſures from the Advantage himſelf hath made of things wrongfully Detained; but account upon the beſt Husbandry could be uſed about them. This I preſume a clear and full Solution of the Queſtion propoſed, with this notice, That what I ſaid of the Son of the firſt Offender, muſt be applyed to all continuing the unjuſt Poſſeſſion, and making Advantages of it, proportionably to the Advantages they have, and the

right Owner might have made of it, in such a time.

Now I come more particularly to the things a person may injure, and be injured in:

They are Goods, or Body, or Name, or All.

First, Goods we know comprehend all the Possessions, or things a Man may have Right to, a Propriety, whereunto, for the support and comfort of Men, *God* hath approved, and himself given general Rules for the determination of. The keeping of Money, or Land, or any Thing else, whatsoever of Right belonging to another, is a violation of Right, which must, (if a Man would be saved) be restored or amended, as I shewed before in the general.

Secondly, A Man may Injure, and be injured in his Body, several ways, by several persons. In his Infancy, for want of due Care in the Nurture of it, (and so may the Mind also be Injured) or in his Maturity and perfect Strength, either in part of his Body by being Maimed, or so, or in the whole by industrious Ministring of pernitious Diet or Physick, or vexation of Spirit; in all which, and the like cases, are required all the Amends that may be from the offending Person, proportionable to the unhappinesses sustained by any Person, by his Means, and that extended to his Relations, to whom he might have been more useful, if he had not sustained those Wrongs in his Body.

Thirdly, The third thing wherein an Injury may be done a Person, is his good Name: A thing that *Solomon* pronounces generally Precious, but of mighty Consequence to some above others; as being that whereupon their own, and their Families livelyhood do depend; nay, of so ill consequence may the defamation of some persons be, that it may in great Measures obstruct the

Salvation of many Souls, which (not to mince the Matter) may be in the caſe of a defamed Miniſter, whoſe Miniſtry is like to be more or leſs Succesful, the more or leſs blemished Men render his Reputation. And if it be ſo, let a pretended Miſdemeanour, before a Deputed Civil Magiſtrate, be compared with a real ſcandal of a Miniſter, before, and to his Flock in numbers, and as far as may be ſingly be put into the Ballance, and ſee where the weight of Miſchief will lye; on that ſide where the Scandal indiſpoſes Men to receive Benefit from a perſon to the Salvation of their Souls; or that, where the preſumed Miſdeameanour to the perſon, can but occaſion a leſs Eſteem of one perſon: Or, (if it muſt be transferred to the Place and Office, as, where an intention to the contrary is declared, I do not ſee how it ſhould) but be of ſome ill example in point of Civil Obſervance, which yet Men in thoſe Stations are furniſhed with Authority ſufficient to reſtrain the ill conſequence of: As the World goes, where ill Fame ſpreads wideſt, and goes furtheſt, it is an hard matter to Preſcribe a way of full Compenſation in this Caſe: If we are ſure of the Deſert, and mean the Reformation of the perſon, the Guilt may abide at home, where the Occaſion dwells; but I ſay, where a good Name is traduced Groundleſly, and Unwarrantably, Maliciouſly, and Spleeniſhly, it may be morally impoſſible to make proportionable Amends; eſpecially, where the detraction is attended with the hazard of Souls: However, all the courſes that can be preſumed effectual to the purpoſe, are to be uſed towards the Reſtitution of a Man's good Name: And this, as in the other caſes, upon the greateſt penalty, Eternal Damnation.

Now that all this is ſaid, and made good, it will,

it may be, be judged Impertinent, and Unnecessary, and Uncharitable, and as much more than all that comes to, as provoked Fancies may qualify some People for Imagining and Expressing; If I do not give some reasons for my Presumption, that there are some persons in my Congregation that are guilty of this Sin; the nature and danger whereof, I have endeavoured to Explicate: For indeed, it had been an absurdity not to be accounted for, to have been large, and particular in representing the nature and danger of intemperance, or impatience before *Socrates*, who, nor was, nor ever was like to be Guilty of either: And therefore, to rid my self from the charge of such another absurdity in the choice of my Subject, and way of management of it; I'll give the reasons that induce me to believe, there are some that hear me, notoriously Guilty of the gross Sin I would amend, that is, wrongfully detaining the Rights of others; in Compassion to whose Souls (since I designed not to use many more) I thought fit to take hold of this Opportunity; in pity, I say, to their Souls, and to Acquit mine own from the Guilt, my finally silently passing by it, would Involve me in.

The *First* Reason I have to presume, or rather conclude, some of my Hearers Guilty of this unrepented, and if it continue so, unavoidably damnable Crime, is not of the least Moment, of less Weight, than those whereby *God* himself hath determined, and Men have unanimously used, as the means of deciding all Controversies, all matters of Doubt or Question; The Oaths, I am told, of a competent number of Witnesses, which to suspect, before they be over-ruled by the Oaths of a more considerable number of more credible Persons,

and

and that determined ſo by a formal Sentence of Law, were not only Unreaſonable, but extreamly Uncharitable; and much more ſo, when the Charge has, as in the concernments of ſome, I am ſatisfied it hath been, by the proſecuted Parties own Acknowledgement, with a memorable Expreſſion, confeſſed. Nor was this Charge, which thus was made good, as I am convinced, a Charge of meer miſimployment, (as ſome have much laboured to perſwade Strangers to their tempers and practices, to believe) or a Sum of Money promiſed to be, but not returned, which I am told, was the ſingle Caſe of one, I am perſwaded too Honeſt, too much a Chriſtian to be rank'd with the Reſt; But of conſiderable groſs Sums not imployed at all. Now to make good the Truth of all this, there needs but the producing of the Depoſitions, which, if I lifted, I think, I might a Copy of; but that is more properly the concernment of a *Court of Judicature:* That ſuch Depoſitions upon Oath, were, ſeems too notorious a Truth: And if ſo, What remains, but that either there was ſuch a Guilt, or ſo many perſons as Swore it, are Perjured? Beloved, here is a clear Caſe, If one be free from the Charge of detaining another's Right, the other comes within the guilt of Perjury; and ſo on the other ſide. If the charge of Detaining be Falſe againſt one, the charge of Perjury againſt the other muſt be true; And are either of theſe Sins to be ſoothed; to be paſt by in ſilence? Theſe ſure call for Repentance of the moſt ſignificant ſort. Is it not a ſad thing, that the Preacher muſt either not do what he ought; or bid the one go home, and Repent him of his Irreſtitution, and make haſt to ſignify the ſerioufneſs, and reality of his Repentance by a ſpeedy Reſtitution; or

bid

bid the other go, and Repent his Perjury?

Now to the former weighty Reaſon, which induces me to believe ſome perſons here guilty of ſuch Injuries, as without the utmoſt Reſtitution they can make, muſt become damnable; I have ſuch as theſe:

Any Perſon that tells me my ſelf, in a matter that I know due to me, that his own Conſcience having its full Liberty given it, cannot but tell him that it is ſo, that many others know, and none can with Truth deny; I ſay, any perſon that in ſuch a matter, by way of defiance, in Confidence of the ſtrength of his Intereſt, or ought elſe, bids me come by all my Right as I can, unleſs I take what he pleaſes in full Satisfaction from a Company directly obliged to me for all; as for good Example, *Ten Pounds* for *Thirty*, or at leaſt *Twenty* in one Year, without any proviſion for Amends for former, gives me great Reaſon to believe, that ſo many Men's Oaths in caſes of Injuries charged upon him againſt others, may not be Falſe; That Perſon that ſo convinces me, in a freſh injurious Act, gives me no Reaſon to believe, he could not poſſibly be Guilty of any of that Nature before.

A *Third* Thing that induces me to believe, all things are not as Right as they ſhould be with ſome perſons, is the Art and Diligence, I have obſerved, uſed in the forming and maintaining of a ſtrong Intereſt, and for ſome Years, ſecuring the Exerciſe of Government, in this place, in effect, in one hand: This indeed miniſtred ſome matter of Suſpicion, that the Affairs of ſome perſons might Suggeſt it neceſſary for them, by ſuch means to wave off the execution of a *Judicial Sentence*; it being commonly the Mark of Innocency, where it dwells, notwithſtanding the many Attempts made againſt

gainſt it, to be plain and ſimple, and eaſy in the recommendation of it ſelf to the protection of him, who hath given Men the greateſt aſſurance, he will not finally leave it, but vigorouſly plead its Cauſe.

Thus having given the Reaſons that induce me to believe there is ſuch a Sin, as I have mentioned, ſome of thoſe committed to my Charge, may be Guilty of: I come in the next place to Conſider what plauſible Defence they may make for themſelves, and what fallacies they may probably put upon their own Conſciencies, to lay the Clamours of them.

Firſt then, It may probably be ſaid, That ſure if People had been Guilty of ſuch a Sin as this, and continued Unrepenting of it, as I ſay, all perſons that are Guilty of it, and do not make Reſtitution, do, That their own Conſciences muſt, ere this, have flown in their Faces, and made them viſibly uneaſy to themſelves; that ere this *God* would have ſhew'd His Judgements upon them, rendered ſucceſsleſs all their *Counſels*, and brought them at the feet of their Adverſaries: Whereas the quite contrary Appears; great cheerfulneſs of Life, and a proſperity, ſo far from a ſubjection to their Adverſaries, that it ſeems rather mounted over them.

To all which, I thus Anſwer, That all theſe, Silence of Conſcience (which yet, they know beſt who are the Owners of them, how ſilent they be; they may be vocal, and loud enough to them, though nor vocal, nor viſible to others;) I ſay, that Silence of Conſcience, and a proſperous outward Eſtate, are but very fallacious Grounds to determine the good Eſtate of the Soul by; ſo far from being competent Arguments to that

that purpoſe, that they may attend the quite contrary Eſtate of the Soul, that of Dereliction; for beſides that, there may be many ways uſed, whereby Men may be diverted from attending to the Clamours of Conſcience, and conſequently made to think it cannot ſpeak, becauſe they do not hearken unto it. We read in holy Writ of a *Seared Conſcience*, from whoſe not ſpeaking, becauſe it hath loſt feeling, we ought not to conclude all is well with it.

And for ſucceſs of *Counſels*, and proſperity of an outward Eſtate, which alſo may be ſometime more Arguments of *God*'s diſpleaſure, leaving Men to all the Temptations of that Fortune, than his approbation of their practices; That they are not the peculiar Lot of the Righteous, I leave *David* and *Solomon*, Father and Son, to ſatisfy all the Fathers and Sons upon the Earth; the Firſt in the 37*th*. *Pſalm*, *ver*. 7, 8, 9, 10. *Fret not thy ſelf becauſe of him, who proſpereth in his way, becauſe of the Man, who bringeth wicked Devices to paſs. Ceaſe from Anger, and forſake Wrath; Fret not thy ſelf in any wiſe to do Evil; For evil-doers ſhall be cut off*, &c. *But yet a little while, and the Wicked ſhall not be*, &c. For ſometime then, in *David*'s judgement, the Wicked may bring their Counſels to paſs, and proſper in their way. *Solomon* ſaith, *Prov*. 29. 20. to the ſame purpoſe his Father ſpoke before, *The Candle of the Wicked ſhall be put out*, that is, The Splendor of his Eſtate ſhall not continue for ever; which ſuppoſes he may ſome time have it. What may happen to the Unrighteous and the Wicked, as well as the Juſt and the Godly, ought not to be taken up as Arguments of the Welfare of the Soul, and the perſon's acceptance with *God*. But in caſe a perſon's Conſcience be ſuffered to ſpeak, and

that, at leaſtwiſe, inwardly, one may be convinced of ſuch a Guilt; yet it is not impoſſible, but he may delude himſelf with an opinion, that he is not obliged to make Reſtitution, becauſe that of that he hath wrongfully detained, he hath made no benefit, but that it proved an occaſion of real diſadvantage to him; as for illuſtration, Suppoſe the Chief Magiſtrate of any Town in Chriſtendom, had, by vertue of his place, received ſo much Money for the Publick, but laid them out on, or reſerved them for his proper uſe: ſuppoſe another perſon, out of his averſneſs to ſuch a practice, (from what principles or motives ſoever, in the preſent Caſe is not material) ſhould uſe a legal courſe to recover thoſe out of his hands, in fencing of the Man's ſelf, againſt which, it might coſt him as much as the firſt Sum in queſtion came to, and, it may be, more; What? Are the Caſes of Conſcience ſo ſevere and ſtrict, as to require a *Reſtitution*, when the Man is ſatisfied he hath expended the Sum, and it may be, qy occaſion of it, as much again of his own? This, it may be, will be anſwered with ſomething the ſame ſuppoſition, that is in the ſlothful Servant's Anſwer to his Maſter in the Goſpel, of a natural auſterity in the *Exactor*. This I do the rather take notice of, becauſe I have heard what to me ſeemed to glance that way. But the Reſolution of this will be eaſy, if you put it to the rule of plain and common Debt, where you know, the Debt is never reckoned the more paid, for any charges the obſtinate refuſal of paying, may occaſion; there is an increaſe of obſtinacy and unhandſomeneſs, none of ſatisfaction made by that means. Shall any Man lay out my Right in the defence of his own Obſtinacy or Covetouſneſs, and ſhall he reckon

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it paid, becauſe at long running he got nothing by it? He that can ſpy a ſubſtantial difference, whereby it may be more a Plea in one, than the other, hath another faculty of ſeeing, than either Reaſon or Religion furniſh him with.

Having ſo given the Reaſons, that induced me to believe ſome Men guilty, and anſwered what they may probably offer for themſelves to ſtave off their concernment, in the matter of detaining the Right of others; I ſhould come next to do the ſame, touching injuries done to the Bodies and good Names of Perſons. As to the *Firſt* whereof, I ſhall only ſay, there have been here ſome Injuries done to ſome in that, by whom I know not, and it may be a great deal more, than ever I heard of: Let every Man examine his own Conſcience, and remember, and uſe a while the Rule given, touching *Reſtitution* in that caſe.

And as to the Guilt of the Abuſe of the good Names of People, I ſhall ſay little more, then read you the Character Arch-Biſhop *whitgift* gave an odd Generation of Men in his time, and truſt any Body in the Congregation, that knows them, to find out the Guilty by it: ‖ *It is their manner* (*Abuſe* he meant) *except you pleaſe their humour in all things, deſerve never ſo well, all is nothing with them, but they will deprive you, rail on you, back-bite you, invent Lies of you, and ſpread falſe Rumours, as though you were the vileſt Perſon upon the Earth.* I muſt confeſs, had I met with this, any time theſe *Twelve* Months hereabouts, in any new Writing, and been left to gueſs whence it came, I had concluded it had been ſome Bodies obſervation of Perſons I knew well enough; But I heartily pray *God* to forgive them, and in order to His forgiveneſs, to give

‖ Arch-Biſhop *whitgift's* Defence, &c. p. 423.

them the Grace of hearty Repentance, ſuch as may ſignify its ſerioufneſs, by ſuch *Reſtitution* of the good Name of every abuſed Perſon, as they may be able to make, and *God* may pleaſe to accept of.

Thus far have I diſcharged the Office of a faithful *Chirurgeon*, ſhewed and ſearched an *Old Wound*, and preſcribed the Means of its Cure; and I am afraid, not without extreamly angering my *Patients*. I have ſhewed you, in caſe of the Guilt of Injury, the indiſpenſable Neceſſity of *Reſtitution*; the extent of its Concernment, as to Perſons and Things, with the meaſure of *Reſtitution* required in all matters of Wrong: I have brought it home to your doors, and ſhewed you the Reaſons I had to lay it there. The abſolute Neceſſity of *Reſtitution*, I intimated from the Danger of Eternal Damnation. And becauſe that may not ſo nearly affect Men, though it infinitely moſt deſerves their conſideration, I could give you both inſtances, and eſpecial Threats of *God*'s ſignal appearances in this World, in the Vindication of the *Oppreſſed Stranger*, the *Fatherleſs*, the *Widow*, and the *Poor*, when the beſt-ſpun Policies of Men will be unravelled and defeated; and read you dreadful Things out of the *20th. chap.* of *Job*, beginning at the *4th. verſ.* of it: But inſtead of all that, I ſhall recommend to your conſideration an expreſſion of the *Pſalmiſt*, reſolved into a Sentence, *when God ariſes, His Enemies will be ſcattered*; which will be, when He ariſes in Judgment, either here, or hereafter, or both, for ſometime he will; for he ſaith, *He heareth the Complaint of the Poor, and that the Poor ſhall not be forſaken for ever.*

Well, before I have done, I judge it neceſſary to Anſwer

swer two or three Objections, which, I foresee, will, in all probability, be levelled against this Discourse.

One, That it is a very unseasonable Discourse, and but a course Entertainment of a Person newly entered upon his Office.

To that I say, That that never seems to me unseasonable, that is necessary, and that I apprehend not the incivility of catching hold of the Skirt of a Man's best Weed, tho a Robe of Scarlet, if I suspect he runs into the Fire with it.

The next I can think of, is, That it is ill becoming a Minister of Peace, to disturb a new-made Peace, with the Representation of old matters of Dissention, which no doubt will, with all the aggravations, spleen and malice can suggest, be represented.

But to this, I beg leave to distinguish between true Peace, and the varnish and imagery of it. It is not every Combination of Men, that hath just pretensions to the glorious title of Peace. We read of a Peace between *Herod* and *Pontius Pilate*, upon the sorry occasion of Condemning the innocentest Person in the World; but no where any reasons to Applaud it. There are some Unions look more like Conspiracies, than Peace. Is this Peace to hush up all former Injuries to the publick, and to capacitate Men's selves without damage, to Act, as many more, as they have a mind to? The Answer *Jehu* made the Son of *Ahab*, enquiring for Peace, was, *What Peace, as long as thy Mother* Jezabel's *whoredomes, and Witchcrafts are so many?* And may not there, think you, a question something like it be ask'd here? *What Peace, as long as Wrongs and Injuries continue unsatisfied for?* The Prophet *Isaiah* tells us, that *God* saith, *There is no Peace to the Wicked*; and do you now judge, whether

whether ſuch Crimes as *Ireſtitution* or *Perjury*, may not rank Men, of what advance ſoever, amongſt them?

A well-founded Peace, there is no Man, I hope, I may truly ſay it, wiſhes more than my ſelf; but in order to it, muſt adviſe you, to be at Peace with *God* and your own Conſciences; and that you may ſo, to remove from amongſt you *The Accurſed Thing*, which will prove a more ſolid Foundation for a laſting Peace, than any thing that I know hath hitherto been propoſed, or happened towards the Re-eſtabliſhment of it; without which, all this Pageantry will look more like a triumph over Juſtice and Honeſty, than true Peace.

One Objection more againſt what I have delivered, I ſuppoſe, will be, That I ſpoke out of Envy and Malice, and upon Provocation.

If what I have already ſaid to that upon my entrance into this Diſcourſe, do not acquit me, I ſhall not trouble my ſelf much more; only ſay, be my Motive to, or occaſion of it what it will, if I have ſaid a truth, that will juſtify no Man's non-obſervance of it. St. *Paul*, in the *Firſt Chapter* to the *Philipians*, ſaith, that *Some Preached Chriſt, even of Envy and Strife, verſe* the *Fifteenth*; however, *verſe* the *Eighteenth*, *He Rejoyced*; and the *Nineteenth*, *Was perſwaded it would turn to his Salvation.* Holy *David* was more afraid of the *Precious Balms* of *Flatterers*, than the *Wounds* of his *Friends*, whom if they had not been in their intentions, ſuch he would doubtleſs in effect have made, by uſeing their Counſels for his good. The Enmity I have to you, diſpenſes with my wiſhing you may make as wiſe uſe of what I delivered, as St. *Paul*, or holy *David* did, or would have done, of Truths delivered by an Enemy. If *For telling you the Truth, I am become more your Enemy*

Enemy, and increased your unkindness towards me; try whether you can spight me, or shew it in avoiding what is in mine, and the judgment of the whole world, the greatest of Evils, Eternal Damnation, by a timely, and significant *Repentance*; which *God*, I heartily pray it, Grant you, and that what hath been delivered, may not be the *Savour of Death unto Death*, unto any, but the *Savour of Life unto Life*, to all that hear me; wherewith I conclude.

FINIS.